



HYRUM CITY

60 West Main • Hyrum, Utah 84319
Phone (435) 245-6033

Stephanie Miller, Mayor
Council Members
Kathy Bingham
Jared L. Clawson
Paul C. James
Craig L. Rasmussen
Aaron Woolstenhulme
City Administrator
Ron W. Salvesen
Recorder
Stephanie B. Fricke
Treasurer
Todd Perkins

NOTICE OF PUBLIC HEARING

The Hyrum City Council will hold a public hearing, Thursday, August 18, 2016, in response to a petition filed by Craig Thornley and Scott Kendrick proposing the annexation of 1.56 acres more or less of real property, located between approximately 825 East and 850 East between Highway 101 and 110 North (1.56 acres).

Said hearing will be held at 6:30 p.m. in the City Council Chambers, 60 West Main, Hyrum, Utah. A copy of the complete description of the property may be reviewed at the Hyrum City Office, 60 West Main, weekdays, between the hours of 8:00 a.m. and 5:00 p.m. or at www.hyrumcity.org.

Stephanie Fricke
City Recorder

Publication Date: August 7, 2016

Utah State Code 10-2-407



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July 8, 2016

Attention: Your property may be affected by a proposed annexation.

Records show that you own property within an area that is intended to be included in a proposed annexation to Hyrum City or that is within 300 feet of that area. Your property is within the area proposed for annexation, and you may or may have not been asked to sign a petition supporting the annexation.

The Hyrum City Council will hold a public hearing on August 18, 2016 at 6:30 p.m. in the Hyrum City Council Chambers at 60 West Main, Hyrum, Utah to receive public comment regarding the proposed annexation. After the public hearing the City Council will then either accept or deny the annexation.

Enclosed is a copy of the Notice of Certification of the Annexation Petition, the annexation petition filed by Curtis Knight, the annexation plat, and a copy of Utah State Code that defines who can protest and the process to submit a protest to an annexation.

If you have any questions or would like additional information on the proposed annexation please contact me at 60 West Main, Hyrum, Utah 84319; phone (435)245-6033; or email sfricke@hyrumcity.com. The annexation petition will be available for inspection and copying at the office of Hyrum City located at 60 West Main, Hyrum, Utah 84319.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie Fricke".
Stephanie Fricke
City Recorder

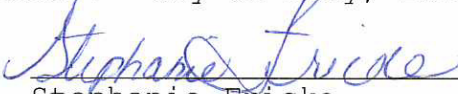
CERTIFICATION OF ANNEXATION PETITION
AND NOTICE TO CITY COUNCIL
CONTACT SPONSOR AND
CACHE COUNTY COUNCIL

STATE OF UTAH)
 : SS.
County of Cache)

I, Stephanie Fricke, the duly appointed and acting City Recorder of Hyrum City, Cache County, Utah, do hereby certify that I did, on June 14, 2016, receive the Petition for Annexation and attached Plat which was filed with the city by Craig Thornley, contact sponsor Scott M. Kendrick, which Petition was accepted by the Hyrum City Council for further consideration pursuant to Section 10-2-405, Utah Code Annotated, 1953 as amended, by Resolution 16-22 adopted and passed by the City Council on June 16, 2016.

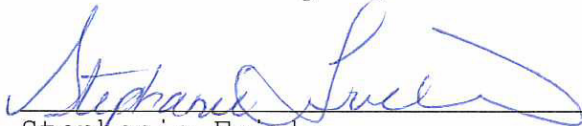
I hereby certify the Petition and state that I, Stephanie Fricke, and City Attorney Jonathon Jenkins have reviewed the referenced Petition for Annexation and have determined that the Petition meets the requirements of Subsections 10-2-403 (3), (4), and (5) of the Utah Code and I hereby give Notice to the Hyrum City Council, and the Contact Sponsor for said Petition Curtis Knight, and the Cache County Council, of my Certification of said Petition as meeting the requirements of the referenced subsections of State law.

IN WITNESS WHEREOF, I have hereunto set my signature and affixed the official seal of Hyrum City Corporation in Cache County, State of Utah, this 7th day of July, 2016.

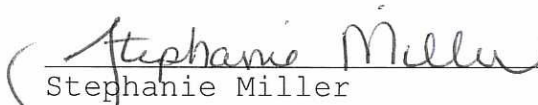


Stephanie Fricke
City Recorder

The foregoing Certification was given to the Hyrum City Council on July 7, 2016.



Stephanie Fricke
City Recorder



Stephanie Miller
Mayor

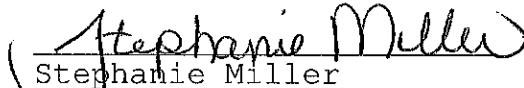
NOTICE OF CERTIFICATION OF ANNEXATION PETITION

Pursuant to Section 10-2-406, U.C.A., Hyrum City, Utah, hereby gives notice as follows:

1. On June 13, 2016 a petition proposing the annexation of real property located between approximately 825 East and 850 East between Highway 101 and 110 North (1.56 acres) has been filed with Hyrum City by Craig Thornley and Scott Kendrick.
2. On June 16, 2016, the Hyrum City Council approved Resolution 16-22 accepting the Petition to be further considered and authorizing the Petition to be certified.
3. On July 7, 2016, the Hyrum City Council received the required Notice of Certification from the City Recorder certifying that the Petition meets the requirements of State Law.
4. The area proposed for annexation in the petition is described as follows:
Commencing at the West Quarter Corner of said Section;
Thence N0°01'10"E 33.00 Feet along the West Line of said Section; Thence N89°49'13"E 289.50 feet along the North Line of State Highway 101 to the point of beginning on the existing Hyrum City Corporate Limit Line; Thence along said existing Corporate Limit Line the following four courses.
 1. N0°01'10" East 300.00 feet;
 2. N89°49'13"E 142.50 feet;
 3. N0°01'10"E 544.58 feet;
 4. N89°49'13"E 30.00 feet;Thence S0°01'10"W 844.58 feet along the proposed Hyrum City Corporate Line to the North Line of said Highway and the existing Hyrum City Corporate Limit Line; Thence S89°49'13"W 172.50 feet along said North Line of Highway and said existing Hyrum City Corporate Limit Line to the point of beginning.
Containing 1.56 Acres, more or less.
5. The complete Annexation Petition is available for inspection and copying at the Hyrum City Recorder's Office, 60 West Main, Hyrum, Utah Monday through Friday during the hours of 8:00 a.m. and 5:00 p.m.

6. Hyrum City may grant the Petition and annex the above-described area unless a written protest to the Annexation Petition is filed with Cache County Boundary Commission c/o Janeen Allen, Secretary 199 North Main, Logan, Utah, 84321, by an authorized protestor (10-2-407 Utah Code), and a copy of the protest is delivered to the Hyrum City Recorder at the address noted above. Any protest must be filed as herein stated by no later than August 8, 2016
7. If no protests are received, the Hyrum City Council will hold a public hearing on Thursday, August 18, 2016 at 6:30 p.m. in the Hyrum City Civic Center 60 West Main, Hyrum, Utah to consider a request to annex this property.

Hyrum City


Stephanie Miller
Mayor

Publication dates: July 10, 17, and 24, 2016

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF HYRUM CITY, CACHE COUNTY, STATE OF UTAH:

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Hyrum City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended (UCA);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Hyrum City and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. That the signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. covers 100% of the private land area within the area proposed for annexation if the area is within:
 1. an agriculture protection area; or
 2. a migratory bird protection area; and
 - d. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
 - e. is described as follows:

Part of the Northwest Quarter of Section 3 Township 10 North Range 1 East of the Salt Lake Meridian, located in Cache County, Utah, described as follows:

Commencing at the West Quarter Corner of said Section; Thence N0°01'10"E 33.00 Feet along the West Line of said Section; Thence N89°49'13"E 289.50 feet along the North Line of State Highway 101

to the point of beginning on the existing Hyrum City Corporate Limit Line; Thence along said existing Corporate Limit Line the following four courses.

1. N0°01'10" East 300.00 feet;
2. N89°49'13"E 142.50 feet;
3. N0°01'10"E 544.58 feet;
4. N89°49'13"E 30.00 feet;

Thence S0°01'10"W 844.58 feet along the proposed Hyrum City Corporate Line to the North Line of said Highway and the existing Hyrum City Corporate Limit Line; Thence S89°49'13"W 172.50 feet along said North Line of Highway and said existing Hyrum City Corporate Limit Line to the point of beginning.

Containing 1.56 Acres, more or less.

4. That up to five of the signers of this petition have been designated as sponsors, one of whom is designated "contact sponsor", with the mailing address of each sponsor being indicated;

5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;

6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 UCA or a petition under Section 10-2-125 UCA if:

- a. the request or petition was filed before the filing of the annexation petition; and
- b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;

7. That the petitioners have caused an accurate plat of the above described property to be made by a competent, licensed surveyor, which plat is filed herewith; and

8. That the petitioners request the property, if annexed, be zoned C1.

9. That the petitioners agree to pay the City upon request and before the annexation process is completed for all expenses it has incurred due to the annexation. The petitioners understand if payment has not been made to the City by specified dates it could delay the annexation process.

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

DATED this 13th day of June, 2016.

PLEASE LIST EACH PARCEL NUMBER, NUMBER OF ACRES IN EACH PARCEL, AND ALL OWNERS OF RECORD ON EACH PARCEL. THIS LIST MUST INCLUDE ALL OF THE ABOVE INFORMATION FOR EACH PARCEL REGARDLESS OF WHETHER SIGNATURE IS OBTAINED.

CONTACT SPONSOR INFORMATION:

Parcel #: 01-003-0034 Acres: 1.56
Names of all current parcel owners on record: Craig Thornley

Name: Jason Kendall Witness: Margaret Poppleton
Signature Signature

Name: Scott M. Kendrick Name: Margaret Poppleton
Please Print Please Print

Telephone # 435-757-9384 Telephone

#:
Mailing Address: 6450 S. 1600 W.
Hyrum UT. 84319

Scott Kendrick
Contact Sponsor
Phone Number 435-757-9384

6450 S. 1600 W.
Hyrum UT. 84319

Pete Kendrick
Sponsor

495 E. 300 S.
Providence UT 84332
435-881-1033

Gary Kendrick
Sponsor

318 E. 2230 N.
Un. B. N. Logan 84341
435-755-2840

Ryan Kendrick
Sponsor

378 South 675 East
Hyrum Utah 84319
435-512-6146

Jason Kendrick
Sponsor

1449 W 6500 S
Hyrum ut. 84319
#435-881-7234

Craig Thornley
~~Petitioner~~ Owner
1-3-34

271 S 100 W
Hyrum
435-245-4947

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

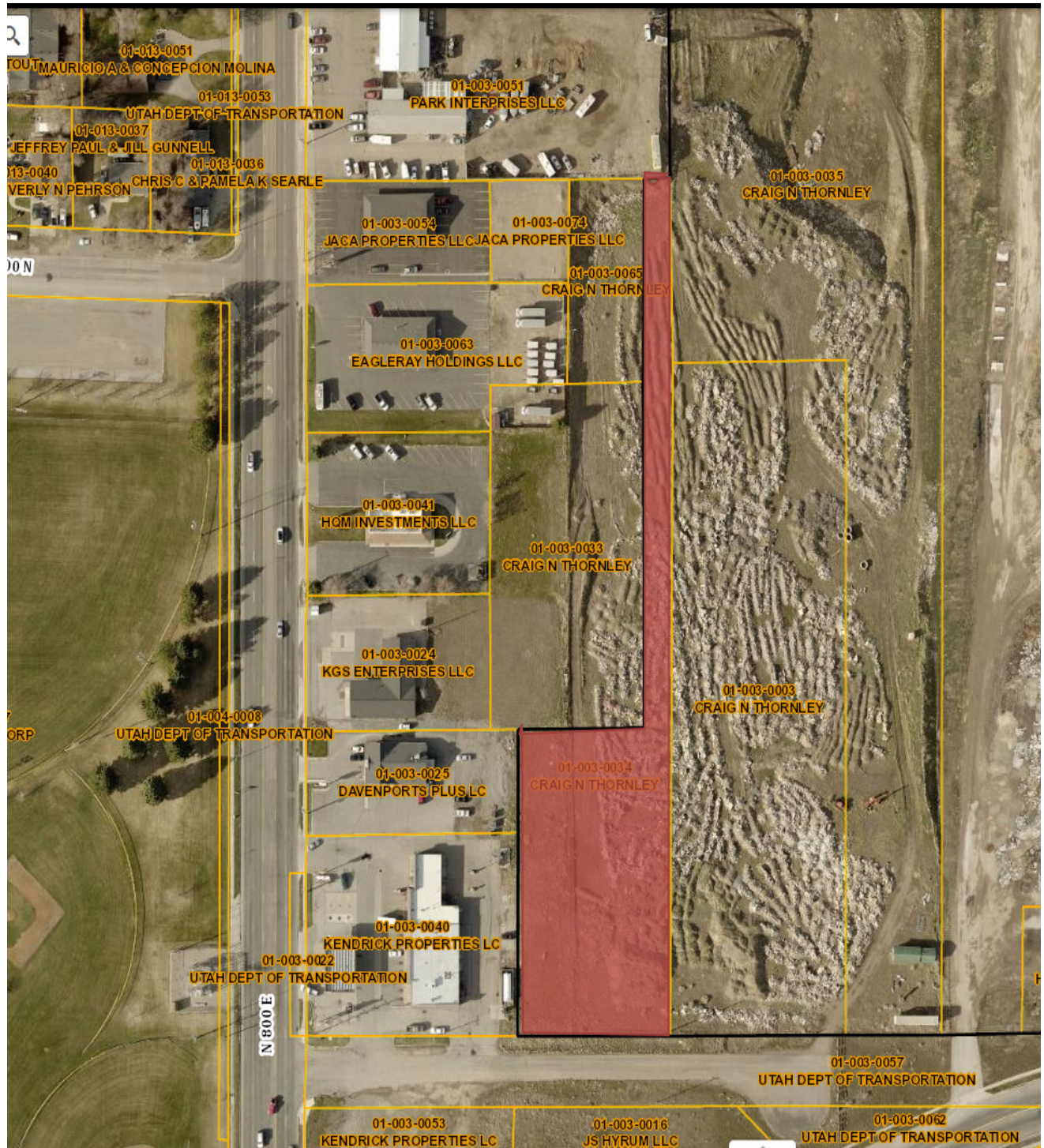
Petitioner

Petitioner

Petitioner

Petitioner

PROPERTY MAP
RED PARCELS INCLUDED IN ANNEXATION PETITION



UTAH STATE CODE
PROTEST TO ANNEXATION PETITION

10-2-407 Protest to annexation petition -- Planning advisory area planning commission recommendation -- Petition requirements -- Disposition of petition if no protest filed.

(1) A protest to an annexation petition under Section 10-2-403 may be filed by:

(a) the legislative body or governing board of an affected entity;

(b) the owner of rural real property as defined in Section 17B-2a-1107; or

(c) for a proposed annexation of an area within a county of the first class, the owners of private real property that:

(i) is located in the unincorporated area within 1/2 mile of the area proposed for annexation;

(ii) covers at least 25% of the private land area located in the unincorporated area within 1/2

mile of the area proposed for annexation; and

(iii) is equal in value to at least 15% of all real property located in the unincorporated area within 1/2 mile of the area proposed for annexation.

(2)(a) Each protest under Subsection (1) shall:

(i) be filed:

(A) no later than 30 days after the municipal legislative body's receipt of the notice of certification under Subsection 10-2-405(2)(c)(i); and

(B)(I) in a county that has already created a commission under Section 10-2-409, with the commission; or

(II) in a county that has not yet created a commission under Section 10-2-409, with the clerk of the county in which the area proposed for annexation is located;

(ii) state each reason for the protest of the annexation petition and, if the area proposed to be annexed is located in a specified county, justification for the protest under the standards established in this chapter;

(iii) if the area proposed to be annexed is located in a specified county, contain other information that the commission by rule requires or that the party filing the protest considers pertinent; and

(iv) contain the name and address of a contact person who is to receive notices sent by the commission with respect to the protest proceedings.

(b) The party filing a protest under this section shall on the same date deliver or mail a copy of the protest to the city recorder or town clerk of the proposed annexing municipality.

(c) Each clerk who receives a protest under Subsection (2)(a)(i)(B)(II) shall:

(i) immediately notify the county legislative body of the protest; and

(ii) deliver the protest to the boundary commission within five days after:

(A) receipt of the protest, if the boundary commission has previously been created; or

(B) creation of the boundary commission under Subsection 10-2-409(1)(b), if the boundary commission has not previously been created.

(3)(a)(i) If a protest is filed under this section:

(A) the municipal legislative body may, at its next regular meeting after expiration of the deadline under Subsection (2)(a)(i)(A), deny the annexation petition; or

(B) if the municipal legislative body does not deny the annexation petition under Subsection (3)(a)(i)(A), the municipal legislative body may take no further action on the annexation petition until after receipt of the commission's notice of its decision on the protest under Section 10-2-416.

(ii) If a municipal legislative body denies an annexation petition under Subsection (3)(a)(i)(A), the municipal legislative body shall, within five days after the denial, send notice of the denial in writing to:

(A) the contact sponsor of the annexation petition;

(B) the commission; and

(C) each entity that filed a protest.

(b)(i) If no timely protest is filed under this section, the municipal legislative body may, subject to Subsection (3)(b)(ii), approve the petition.

(ii) Before approving an annexation petition under Subsection (3)(b)(i), the municipal legislative body shall:

(A) hold a public hearing; and

(B) at least seven days before the public hearing under Subsection (3)(b)(ii)(A):

(I) (Aa) publish notice of the hearing in a newspaper of general circulation within the municipality and the area proposed for annexation; or

(Bb) if there is no newspaper of general circulation in those areas, post written notices of the hearing in conspicuous places within those areas that are most likely to give notice to residents within those areas; and

(II) publish notice of the hearing on the Utah Public Notice Website created in Section 63F-1-701.